

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JON STEVENS,

Petitioner,

No. CIV S-04-2124 MCE GGH P

vs.

TERESA SCHWARTZ, Warden,

Respondent.

ORDER

Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner seeks a “stay” of thirty days, averring that he has been in transport and out-to-court on a civil matter in Placer County Superior Court, has not yet received respondent’s answer, and apparently intends to file a reply. See, Request filed on June 3, 2005.

A stay being inappropriate in these circumstances, the court will, instead construe petitioner’s request as one for an extension of time and will grant petitioner a sixty-day extension of time to file his reply. This extension should be adequate for petitioner to receive respondent’s answer and for petitioner, thereafter, to compose, file and serve his reply.

Accordingly, IT IS ORDERED that:

1. Petitioner’s June 3, 2005 request for a “stay” is construed as a request for an

